

***Texas Pattern Jury Charges—Business, Consumer, Insurance
& Employment (2020 Ed.)
PJC Files Quick Index***

Click on the [blue](#) text to open the corresponding Word file. (PJC's that have no associated charge language are not linked.)

Chapter 100 Admonitory Instructions

- [100-1](#) Instructions to Jury Panel before Voir Dire Examination
- [100-2](#) Instructions to Jury after Jury Selection
- [100-3](#) Charge of the Court
- [100-3A](#) Charge of the Court—Twelve-Member Jury
- [100-3B](#) Charge of the Court—Six-Member Jury
 - [100-3 alt addl certificate](#)
- [100-4](#) Additional Instruction for Bifurcated Trial
 - [100-4 addl instr pre-2003](#)
 - [100-4 alt addl certificate](#)
- [100-5](#) Instructions to Jury after Verdict
- [100-6](#) Instruction to Jury If Permitted to Separate
- [100-7](#) Instruction If Jury Disagrees about Testimony
- [100-8](#) Circumstantial Evidence (Optional)
- [100-9](#) Instructions to Deadlocked Jury
- [100-10](#) Privilege—Generally No Inference
- [100-11](#) Fifth Amendment Privilege—Adverse Inference May Be Considered
- [100-12](#) Parallel Theories on Damages
- [100-13](#) Proximate Cause
- [100-14](#) Instruction on Spoliation

Chapter 101 Contracts

- [101-1](#) Basic Question—Existence
 - [101-1 alt Q fail comply](#)
 - [101-1 alt Q bind terms](#)
 - [101-1 alt Q future agree](#)
- [101-2](#) Basic Question—Compliance
 - [101-2 alt Q limited](#)
 - [101-2 alt Qs disjunctive](#)
 - [101-2 addl instrs material](#)
 - [101-2 addl instr code duty](#)
 - [101-2 addl instr good faith](#)
- [101-3](#) Instruction on Formation of Agreement

- 101-4 Instruction on Authority
- 101-5 Instruction on Ratification
- 101-6 Conditions Precedent (Comment)
- 101-7 Court's Construction of Provision of Agreement (Comment)
- 101-8 Instruction on Ambiguous Provisions
- 101-9 Trade Custom (Comment)
- 101-10 Instruction on Time of Compliance
- 101-11 Instruction on Offer and Acceptance
- 101-12 Instruction on Withdrawal or Revocation of Offer
- 101-13 Instruction on Price
- 101-14 Consideration (Comment)
- 101-21 Defenses—Basic Question
- 101-22 Defenses—Instruction on Plaintiff's Material Breach (Failure of Consideration)
[101-22 addl instr material](#)
- 101-23 Defenses—Instruction on Anticipatory Repudiation
- 101-24 Defenses—Instruction on Waiver
- 101-25 Defenses—Instruction on Equitable Estoppel
- 101-26 Defenses—Instruction on Duress
- 101-27 Defenses—Instruction on Undue Influence
- 101-28 Defenses—Instruction on Mutual Mistake of Fact
- 101-29 Defenses—Instruction on Mutual Mistake—Scrivener's Error
- 101-30 Defenses—Instruction on Novation
- 101-31 Defenses—Instruction on Modification
- 101-32 Defenses—Instruction on Accord and Satisfaction
- 101-33 Defenses—Instruction on Mental Capacity
- 101-34 Defenses—Statute of Frauds (Comment)
- 101-35 Question on Main Purpose Doctrine
- 101-36 Third-Party Beneficiaries (Comment)
[101-36 Q third party](#)
- 101-37 Question and Instruction on Meaning of Ambiguous Provisions
- 101-38 Question and Instruction on Reformation as an Affirmative Cause of Action
- 101-41 Question on Promissory Estoppel
- 101-42 Question and Instruction on Quantum Meruit
- 101-43 Money Had and Received (Comment)
- 101-44 Unjust Enrichment (Comment)
- 101-46 Construction Contracts Distinguished from Ordinary Contracts (Comment)
- 101-47 Construction Contracts—Question and Instruction—Misapplication of Trust Funds
under the Texas Construction Trust Funds Act
[101-47 addl instr intent defraud](#)
[101-47 prelim Q trustee](#)
[101-47 addl instr residential](#)
- 101-48 Construction Contracts—Affirmative Defenses—Basic Question
[101-48 alt Q excuse](#)

- 101-49 Construction Contracts—Affirmative Defenses—Instructions
- 101-50 Question on Prompt Payment to Contractors and Subcontractors
- 101-51 Question on Good-Faith Dispute
[101-51 addl instr residential](#)
- 101-56 Insurance Contracts Distinguished from Other Contracts (Comment)
- 101-57 Insurance Contracts—Compliance—Specific Policy Language
- 101-58 Insurance Contracts—Coverage and Damages Question—Specific Policy Language
- 101-59 Insurance Contracts—Exclusions, Limitations, Avoidance, and Other Affirmative
 Defenses—Specific Policy Language
[101-59 alt Q excuse](#)
- 101-60 Insurance Contracts—Conditions Precedent and Prejudice (Comment)
[101-60 alt Q condition precedent](#)
[101-60 alt Q prejudice](#)

Chapter 102 The Texas Deceptive Trade Practices Act and Chapter 541 of the Texas Insurance Code

- 102-1 Question and Instructions on False, Misleading, or Deceptive Act or Practice (DTPA § 17.46(b))
- 102-2 Description of Goods or Services or Affiliation of Persons (DTPA § 17.46(b)(5))
[102-2 alt instr affiliation](#)
- 102-3 Quality of Goods or Services (DTPA § 17.46(b)(7))
- 102-4 Misrepresented and Unlawful Agreements (DTPA § 17.46(b)(12))
[102-4 alt instr unlawful](#)
- 102-5 Failure to Disclose Information (DTPA § 17.46(b)(24))
- 102-6 Other “Laundry List” Violations (DTPA § 17.46(b)) (Comment)
- 102-7 Question and Instructions on Unconscionable Action or Course of Action (DTPA §§ 17.50(a)(3) and 17.45(5))
- 102-8 Question and Instructions on Warranty (DTPA § 17.50(a)(2); Tex. UCC §§ 2.313–.315)
- 102-9 Express Warranty—Goods or Services (DTPA § 17.50(a)(2); Tex. UCC § 2.313)
[102-9 alt Q-instrs knowledge](#)
- 102-10 Implied Warranty of Merchantability—Goods (DTPA § 17.50(a)(2); Tex. UCC § 2.314(b)(3))
[102-10 alt elements merchantability](#)
- 102-11 Implied Warranty of Fitness for Particular Purpose—Goods (DTPA § 17.50(a)(2); Tex. UCC § 2.315)
- 102-12 Implied Warranty of Good and Workmanlike Performance—Services (DTPA § 17.50(a)(2))
- 102-13 Implied Warranty of Habitability (DTPA § 17.50(a)(2))
- 102-14 Question on Insurance Code Chapter 541
- 102-16 Misrepresentations or False Advertising of Policy Contracts—Insurance (Tex. Ins. Code § 541.051(1))
- 102-17 False Information or Advertising—Insurance (Tex. Ins. Code § 541.052)

- 102-18 Unfair Insurance Settlement Practices (Tex. Ins. Code § 541.060)
[102-18 addl instr liability](#)
- 102-19 Misrepresentation—Insurance (Tex. Ins. Code § 541.061)
- 102-21 Question and Instructions on Knowing or Intentional Conduct
[102-21 alt def knowingly](#)
[102-21 addl def intentionally](#)
- 102-22 Defenses to Deceptive Trade Practices Act and Insurance Code Chapter 541 Claims
(Comment)
- 102-23 Statute of Limitations (DTPA § 17.565; Tex. Ins. Code § 541.162)
[102-23 addl Q inducement](#)
- 102-24 Counterclaim—Bad Faith or Harassment (DTPA § 17.50(c); Tex. Ins. Code Ch. 541,
Subch. D) (Comment)
- 102-25 Prompt Payment of Claims Act—Violation of Insurer’s Duty to Acknowledge Notice of
Claim, Commence Investigation, and Request Information after Receiving Notice
of Claim (Tex. Ins. Code § 542.055)
[102-25 addl Q date](#)
[102-25 addl instr notice](#)
[102-25 addl instr def agent](#)
[102-25 addl instr plaintiff agent](#)
[102-25 alt def business day](#)
- 102-26 Prompt Payment of Claims Act—Violation of Insurer’s Duty to Notify Claimant of
Acceptance, Rejection, or Need for More Time after Receiving All Necessary
Information Reasonably Requested from Claimant (Tex. Ins. Code § 542.056)
[102-26 addl Q date](#)
[102-26 addl instr def agent](#)
[102-26 addl instr plaintiff agent](#)
[102-26 addl Qs exception](#)
- 102-27 Prompt Payment of Claims Act—Violation of Insurer’s Duty to Pay after Notice to
Claimant that Insurer Will Pay All or Part of Claim (Tex. Ins. Code § 542.057)
[102-27 addl Q date](#)
[102-27 addl instr def agent](#)
[102-27 addl instr plaintiff agent](#)
[102-27 alt def business day](#)
- 102-28 Prompt Payment of Claims Act—Violation of Insurer’s Duty to Pay Claim within Sixty
Days of Receipt of All Necessary Information Reasonably Requested from
Claimant (Tex. Ins. Code § 542.058)
[102-28 addl Q date](#)
[102-28 addl instr def agent](#)
[102-28 addl instr plaintiff agent](#)

Chapter 103 Good Faith and Fair Dealing

- 103-1 Common-Law Duty of Good Faith and Fair Dealing—Question and Instruction on Insurance Claim Denial or Delay in Payment
- 103-2 Duty of Good Faith under the Uniform Commercial Code (Comment)
- 103-3 Duty of Good Faith by Express Contract (Comment)

Chapter 104 Fiduciary Duty

- 104-1 Question and Instruction—Existence of Relationship of Trust and Confidence
- 104-2 Question and Instruction—Breach of Fiduciary Duty Defined by Common Law—Burden on Fiduciary
- 104-3 Question and Instruction—Breach of Fiduciary Duty Defined by Common Law—Burden on Beneficiary
- 104-4 Question and Instruction—Breach of Fiduciary Duty Defined by Statute or Agreement—Burden on Fiduciary
- 104-5 Question and Instruction—Breach of Fiduciary Duty Defined by Statute or Agreement—Burden on Beneficiary

Chapter 105 Fraud and Negligent Misrepresentation

- 105-1 Question on Common-Law Fraud—Intentional Misrepresentation
- 105-2 Instruction on Common-Law Fraud—Intentional Misrepresentation
- 105-3 Definitions of Misrepresentation—Intentional Misrepresentation
- 105-3A Factual Misrepresentation
- 105-3B Promise of Future Action
- 105-3C Opinion Mixed with Fact
- 105-3D False Statement of Opinion
- 105-3E Opinion Made with Special Knowledge
- 105-4 Instruction on Common-Law Fraud—Failure to Disclose When There Is Duty to Disclose
- 105-5 Question on Statute of Limitations—Common-Law Fraud
- 105-7 Question on Statutory Fraud (Real Estate or Stock Transaction)
- 105-8 Instruction on Statutory Fraud—Factual Misrepresentation
- 105-9 Instruction on Statutory Fraud—False Promise
- 105-10 Question and Instructions on Benefiting from Statutory Fraud
- 105-11 Question and Instruction on Actual Awareness of Statutory Fraud
105-11 alt instr pre-2003
- 105-12 Question and Instructions on Violation of Texas Securities Act—Factual Misrepresentation
- 105-13 Instruction on Violation of Texas Securities Act—Material Fact—Prediction or Statement of Belief

- 105-14 Question on Defenses to Violation of Texas Securities Act—Factual Misrepresentation
- 105-15 Question on Defenses to Violation of Texas Securities Act—Buyer
- 105-16 Question on Violation of Texas Securities Act—Control-Person Liability
 - [105-16 addl instr control](#)
- 105-17 Question on Defense to Control-Person Liability
- 105-18 Question and Instructions on Violation of Texas Securities Act—Aiding Violation
- 105-19 Question and Instruction on Negligent Misrepresentation
- 105-25 Question and Instruction on Transfers Fraudulent as to Present and Future Creditors—
Actual Fraud (Tex. Bus. & Com. Code § 24.005(a)(1))
 - [105-25 def insider](#)
 - [105-25 def affiliate](#)
 - [105-25 instr insolvent](#)
 - [105-25 def transfer](#)
- 105-26 Question on Reasonably Equivalent Value—Constructive Fraud (Tex. Bus. & Com. Code §§ 24.005(a)(2), 24.006(a))
 - [105-26 instr value](#)
 - [105-26 def transfer](#)
- 105-27 Question on Constructive Fraud (Tex. Bus. & Com. Code §§ 24.005(a)(2), 24.006(a))
 - [105-27 instr insolvent](#)
- 105-28 Question on Constructive Fraud—Transfer to Insider (Tex. Bus. & Com. Code § 24.006(b))
 - [105-28 def insider](#)
 - [105-28 def affiliate](#)
 - [105-28 instr insolvent](#)
 - [105-28 def transfer](#)
- 105-29 Question and Instruction on Good Faith and Reasonably Equivalent Value—Affirmative Defense to Fraudulent Transfer Based on Actual Fraud (Tex. Bus. & Com. Code § 24.009(a))
 - [105-29 instr value](#)
- 105-30 Question on Affirmative Defense for Insider (Tex. Bus. & Com. Code § 24.009(f))
- 105-31 Question on Extinguishment of Cause of Action (Tex. Bus. & Com. Code § 24.010)
- 105-32 Remedies for Fraudulent Transfers (Tex. Bus. & Com. Code § 24.008) (Comment)
 - [105-32 addl Q 1 amount](#)
 - [105-32 addl Q 2 amount](#)
 - [105-32 addl Q 3 amount](#)

Chapter 106 Interference with Existing and Prospective Contract

- 106-1 Question and Instruction—Intentional Interference with Existing Contract
- 106-2 Question—Defense of Legal Justification
- 106-3 Wrongful Interference with Prospective Contractual or Business Relations (Comment)
- 106-4 Contracts Terminable at Will or on Notice (Comment)

Chapter 107 Employment

- 107-1 Breach of Employment Agreement (Comment)
107-1 alt Q property interest
- 107-2 Instruction on Good Cause as Defense to Early Discharge
- 107-3 Question on Wrongful Discharge for Refusing to Perform an Illegal Act
- 107-4 Question and Instruction on Retaliation under Texas Whistleblower Act
107-4 addl Q good faith belief
- 107-5 Question and Instruction on Retaliation for Seeking Workers' Compensation Benefits
107-5 addl instr proceeding
- 107-6 Question and Instruction on Unlawful Employment Practices
107-6 alt Qs-instrs disparate impact
107-6 alt Qs age
107-6 addl instr cat paw theory
- 107-7 Question on After-Acquired Evidence of Employee Misconduct
- 107-8 Instruction on Damages Reduction for After-Acquired Evidence of Employee Misconduct
- 107-9 Question and Instruction on Retaliation
107-9 addl instr cat paw theory
- 107-10 Instruction on Constructive Discharge
- 107-11 Instruction on Disability
- 107-11A Instruction on Disability (Actual, or Record of)
107-11A addl instr disability
107-11A addl instr mitigation
107-11A addl Q qualified individual
- 107-11B Question and Instruction on Disability (Regarded as)
- 107-12 Question and Instruction on Failure to Make Reasonable Workplace Accommodation
- 107-13 Question and Instruction on Undue Hardship Defense
- 107-14 Question on Good-Faith Effort to Make Reasonable Workplace Accommodation
- 107-15 Instruction on Sex Discrimination
- 107-16 Instruction on Religious Observance or Practice
- 107-17 Question and Instruction on Defense of Undue Hardship to Accommodate Religious Observances or Practices
- 107-18 Question Limiting Relief in Unlawful Employment Practices
- 107-19 Question and Instruction on Bona Fide Occupational Qualification Defense
- 107-20 Question on Harassment
- 107-21 Instruction on Sexual Harassment by Supervisor Involving Tangible Employment Action (*Quid Pro Quo*)
- 107-22 Instruction on Harassment by Nonsupervisory Employee (Hostile Environment)
- 107-23 Instruction on Harassment by Supervisory Employee Not Involving Tangible Employment Action (Hostile Environment)
107-23 alt instr sexual harassment

- 107-24 Question and Instruction on Affirmative Defense to Harassment Where No Tangible Employment Action Occurred
- 107-25 Question Limiting Relief for Retaliation under Texas Whistleblower Act

Chapter 108 Piercing the Corporate Veil

- 108-1 Basic Question
- 108-2 Disregarding the Corporate Fiction in Contract-Related Cases (Comment)
- 108-3 Instruction on Alter Ego
- 108-3A Instruction on Alter Ego in Cases Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-3B Instruction on Alter Ego in Cases Not Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
 - 108-3 addl instr corporate formalities
- 108-4 Instruction on Sham to Perpetrate a Fraud
- 108-4A Instruction on Sham to Perpetrate a Fraud in Cases Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-4B Instruction on Sham to Perpetrate a Fraud in Cases Not Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-5 Instruction on Evasion of Existing Legal Obligation
- 108-5A Instruction on Evasion of Existing Legal Obligation in Cases Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-5B Instruction on Evasion of Existing Legal Obligation in Cases Not Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-6 Instruction on Circumvention of a Statute
- 108-6A Instruction on Circumvention of a Statute in Cases Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-6B Instruction on Circumvention of a Statute in Cases Not Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-7 Instruction on Protection of Crime or Justification of Wrong
- 108-7A Instruction on Protection of Crime or Justification of Wrong in Cases Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-7B Instruction on Protection of Crime or Justification of Wrong in Cases Not Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-8 Instruction on Monopoly
- 108-8A Instruction on Monopoly in Cases Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)
- 108-8B Instruction on Monopoly in Cases Not Governed by Tex. Bus. Orgs. Code § 21.223(a)(2)

Chapter 109 Civil Conspiracy

[109-1](#) Question and Instruction on Conspiracy

Chapter 110 Defamation, Business Disparagement, and Invasion of Privacy

- [110-1](#) Libel and Slander (Comment on Broad Form)
- [110-2](#) Question and Instruction on Publication
- [110-3](#) Question and Instructions on Defamatory Nature of the Publication
 - [110-3 alt Q no publication dispute](#)
- [110-4](#) Question and Instruction on Falsity
 - [110-4 addl instr false impression](#)
- [110-5](#) Question and Instruction on Negligence
 - [110-5 alt Q satire or parody](#)
- [110-6](#) Question and Instructions on Actual Malice
 - [110-6 alt Q satire or parody](#)
- [110-7](#) Actual Malice in Cases of Qualified Privilege (Comment)
- [110-8](#) Question and Instructions on Defense of Truth
 - [110-8 addl instr false impression](#)
- [110-15](#) Question and Instructions on Business Disparagement
- [110-16](#) Question and Instruction on Intrusion
- [110-17](#) Question and Instruction on Publication of Private Facts
 - [110-17 alt Q public concern](#)
 - [110-17 addl instr matter](#)
- [110-18](#) Question and Instruction on Invasion of Privacy by Misappropriation
- [110-19](#) False Light Invasion of Privacy (Comment)
- [110-20](#) Defamation Mitigation Act (Comment)

Chapter 111 Misappropriation of Trade Secrets

- [111-1](#) Question and Instructions on Existence of Trade Secret
 - [111-1 alt Q broad form](#)
 - [111-1 sample instrs](#)
 - [111-1 def reverse engineer](#)
- [111-2](#) Question and Instructions on Trade-Secret Misappropriation
 - [111-2 addl instr use](#)
 - [111-2 addl Q date](#)
 - [111-2 addl instr former employee](#)

Chapter 115 Damages

- [115-1](#) Predicate—Instruction Conditioning Damages Questions on Liability

- 115-2 Instruction on Whether Compensatory Damages Are Subject to Income Taxes (Actions Filed on or after September 1, 2003)
- 115-3 Question on Contract Damages
 - [115-3 addl instr sep theories](#)
 - [115-3 alt instr sep elements](#)
 - [115-3 alt Q insurance](#)
- 115-4 Sample Instructions on Direct and Incidental Damages—Contracts
 - [115-4 addl sample instrs](#)
- 115-5 Instructions on Consequential Damages—Contracts
- 115-6 Question on Promissory Estoppel—Reliance Damages
 - [115-6 alt instr sep elements](#)
- 115-7 Question on Quantum Meruit Recovery
- 115-8 Defensive Instruction on Mitigation—Contract Damages
- 115-9 Question and Instruction on Deceptive Trade Practice Damages
 - [115-9 alt instr sep elements](#)
- 115-10 Sample Instructions—Deceptive Trade Practice Damages
- 115-11 Question on Additional Damages—Deceptive Trade Practices
- 115-12 Contribution—Deceptive Trade Practices Act and Insurance Code Chapter 541 (Comment)
- 115-13 Question and Instruction on Actual Damages under Insurance Code Chapter 541
 - [115-13 alt instr sep elements](#)
- 115-14 Question and Instruction on Actual Damages for Breach of Duty of Good Faith and Fair Dealing
 - [115-14 alt instr sep elements](#)
- 115-15 Remedies for Breach of Fiduciary Duty (Comment)
- 115-16 Question on Profit Disgorgement—Amount of Profit
- 115-17 Question on Fee Forfeiture—Amount of Fee
- 115-18 Question on Actual Damages for Breach of Fiduciary Duty
 - [115-18 alt instr sep elements](#)
- 115-19 Question and Instruction on Direct Damages Resulting from Fraud
 - [115-19 alt instr sep elements](#)
- 115-20 Question and Instruction on Consequential Damages Caused by Fraud
 - [115-20 alt instr sep elements](#)
- 115-21 Question and Instruction on Monetary Loss Caused by Negligent Misrepresentation
 - [115-21 alt instr sep elements](#)
 - [115-21 addl instr sep theories](#)
- 115-22 Question on Damages for Intentional Interference with Existing Contract or for Wrongful Interference with Prospective Contractual Relations
 - [115-22 alt instr sep elements](#)
 - [115-22 addl instr sep theories](#)
- 115-24 Sample Instructions on Direct and Incidental Damages—Breach of Employment Agreement
- 115-25 Defensive Instruction on Mitigation—Breach of Employment Agreement Damages

- 115-26 Question and Instruction on Damages for Wrongful Discharge for Refusing to Perform an Illegal Act
[115-26 alt instr sep elements](#)
- 115-27 Question and Instructions on Damages for Retaliation under Texas Whistleblower Act
[115-27 alt instr sep elements](#)
- 115-28 Question and Instruction on Damages—Retaliation for Seeking Workers’ Compensation Benefits
[115-28 alt instr sep elements](#)
- 115-30 Question and Instruction on Unlawful Employment Practices Damages
[115-30 alt instr sep elements](#)
- 115-31 Predicate Question and Instruction on Exemplary Damages for Unlawful Employment Practices
[115-31 alt instr multiple defendants](#)
- 115-32 Question on Employer Liability for Exemplary Damages for Conduct of Supervisor
- 115-33 Question and Instructions—Defamation General Damages
[115-33 alt instr nominal damages](#)
[115-33 alt instr sep elements](#)
- 115-34 Question and Instructions—Defamation Special Damages
[115-34 alt instr sep elements](#)
- 115-35 Question and Instructions—Invasion of Privacy Damages
[115-35 alt instr sep elements](#)
- 115-36 Proportionate Responsibility
[115-36 alt answers addl responsible](#)
[115-36 alt Q comparative](#)
- 115-37 Predicate Question and Instruction on Award of Exemplary Damages
- 115-37A Question and Instruction for Actions Filed before September 1, 2003
- 115-37B Question and Instruction for Actions Filed on or after September 1, 2003
[115-37 alt Q fraud](#)
[115-37 addl instr gross neg](#)
[115-37 alt instr multiple defendants](#)
- 115-38 Question and Instruction on Exemplary Damages
[115-38 alt instr pre-2003](#)
[115-38 alt instr multiple defendants](#)
- 115-39 Question and Instruction for Imputing Liability for Exemplary Damages
- 115-39A Question and Instruction Imputing Malice to a Corporation—Causes of Action Accruing on or after September 1, 1995, and Filed before September 1, 2003
- 115-39B Question and Instruction Imputing Gross Negligence to a Corporation—Actions Filed on or after September 1, 2003
- 115-40 Question and Instructions—Securing Execution of Document by Deception as a Ground for Removing Limitation on Exemplary Damages (Tex. Civ. Prac. & Rem. Code § 41.008(c)(11))
[115-40 alt def service](#)
[115-40 alt instr pre-2003](#)

- 115-41 Question and Instruction—Fraudulent Destruction, Removal, Alteration, or Concealment of Writing as a Ground for Removing Limitation on Exemplary Damages (Tex. Civ. Prac. & Rem. Code § 41.008(c)(12))
[115-41 alt instr pre-2003](#)
- 115-42 Question and Instructions—Forgery as a Ground for Removing Limitation on Exemplary Damages (Tex. Civ. Prac. & Rem. Code § 41.008(c)(8))
[115-42 alt instr pre-2003](#)
- 115-43 Question and Instructions—Theft as a Ground for Removing Limitation on Exemplary Damages (Tex. Civ. Prac. & Rem. Code § 41.008(c)(13))
[115-43 alt def 1 deprive](#)
[115-43 alt def 2 deprive](#)
[115-43 alt instrs consent](#)
[115-43 alt instr pre-2003](#)
- 115-44 Question and Instruction—Commercial (Fiduciary) Bribery as a Ground for Removing Limitation on Exemplary Damages (Tex. Civ. Prac. & Rem. Code § 41.008(c)(9))
[115-44 addl def consent](#)
[115-44 addl def benefit](#)
[115-44 alt def knowing conduct](#)
[115-44 alt Q bribery](#)
[115-44 alt instr pre-2003](#)
- 115-45 Question and Instructions—Misapplication of Fiduciary Property as a Ground for Removing Limitation on Exemplary Damages (Tex. Civ. Prac. & Rem. Code § 41.008(c)(10))
[115-45 alt def knowing conduct](#)
[115-45 addl def agreement](#)
[115-45 alt Q financial institution](#)
[115-45 alt instr pre-2003](#)
- 115-46 Other Conduct of Defendant Authorizing Removal of Limitation on Exemplary Damages Award (Comment)
- 115-48 Question and Instruction on Damages for Misapplication of Trust Funds under the Texas Construction Trust Funds Act
[115-48 addl instr excuse](#)
- 115-49 Question and Instructions on Prompt Payment to Contractors and Subcontractors Damages
- 115-54 Question on Trade-Secret Misappropriation Damages
[115-54 alt instr sep elements](#)
- 115-55 Sample Instructions on Actual Damages—Trade-Secret Misappropriation
[115-55 addl sample hypo sale](#)
- 115-60 Question on Attorney’s Fees
[115-60 addl instr reasonable fee](#)
[115-60 alt instr predicate](#)
[115-60 addl instr zero fees](#)

Chapter 116 Preservation of Charge Error

- 116-1 Preservation of Charge Error (Comment)
- 116-2 Broad-Form Issues and the *Casteel* Doctrine (Comment)

